

# JULY 2004 AGENDA

FINAL REVISED  
June 29<sup>th</sup>, 2004

The Administrative Rules Review Committee will hold a special meeting on Thursday, July 8, 2004, at 9 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

## BULLETINS NEEDED FOR THIS MEETING: No. 25, 26 ([6/9/04](#), [6/23/04](#))

Also refer to: [1/7/04](#), [3/3/04](#), [3/17/04](#), [3/31/04](#), [4/14/04](#), [4/28/04](#)

		Bulletin	Page
<b>9:00</b>	<b>HUMAN SERVICES DEPARTMENT[441]</b> Nancy Freudenberg (281-8438)		
	Civil commitment unit for sexual offenders—hearing denied for appeal of patient treatment interventions, 7.5(2)“a”(17), 7.5(2)“f,” <u>Filed ARC 3386B</u> .....	<a href="#">6/9/04</a>	1971
	State supplementary assistance—Medicaid and Medicare eligibles, 50.1, 50.2(1)“c,” 50.2(3), 50.3(4), 51.1, 51.6, 52.1(3)“e,” 52.1(7), <u>Notice ARC 3437B</u> .....	<a href="#">6/23/04</a>	1996
	Eligibility and service requirements for HCBS waivers, 77.30(3), 77.30(5)“a”(2), (8) and (9), 77.30(8)“a”(1) to (3), 77.33(1), 77.34(5)“a”(3) and (8), 77.34(7), 77.37, 77.37(1)“f,” 77.37(8), 77.37(10), 77.37(10)“a” to “c,” 77.37(13)“f,” 77.37(15)“a”(3), (6) and (9), 77.37(22)“a”(1) to (3), 77.37(25), 77.39, 77.39(1)“f,” 77.39(6), 77.39(8), 77.39(8)“a” to “c,” 77.39(14)“a”(2), (7) and (10), 77.39(20), 77.39(25)“a”(1) to (3), 78.34(5)“d,” 78.34(7)“h” and “m,” 78.37(6)“h,” 78.37(15)“h” and “m,” 78.38(5)“h,” 78.38(8)“h” and “m,” 78.41(1)“f,” 78.41(2)“g,” 78.41(8)“h” and “m,” 78.43(2)“e,” 78.43(3)“d,” 78.43(13)“h” and “m,” 78.46(1)“h” and “m,” 79.1(2), 83.2(1)“g,” 83.60, 83.61(1)“e” and “k,” 83.102(1)“j,” <u>Notice ARC 3438B</u> .....	<a href="#">6/23/04</a>	1997
	Medicaid coverage of dental hygiene services in maternal health centers, 78.25(2)“e,” <u>Notice ARC 3439B</u> .....	<a href="#">6/23/04</a>	2003
	Child care services, 130.2(1), 130.2(5) to 130.2(7), 130.3(1)“d,” 130.3(1)“d”(2) to (5), 130.3(3)“x,” “y,” “aa” and “ab,” 130.3(6), 130.4, 130.4(3), 130.5(1)“c” and “i,” 130.5(2)“a” and “e,” 130.5(3)“d,” 130.7, 130.7(3), 170.1, 170.2, 170.2(1), 170.2(2), 170.2(2)“c,” 170.2(3), 170.3, 170.3(1) to 170.3(5), 170.4(2), 170.4(3)“e” and “f,” 170.4(7), 170.5, 170.5(1) to 170.5(4), <u>Notice ARC 3389B</u> , also <u>Filed Emergency ARC 3387B</u> .....	<a href="#">6/9/04</a>	1961
	Rehabilitative treatment group care service—overpayments, provision of therapy and counseling, 185.13(2)“e”(3), 185.83(1), 185.83(1)“a,” 185.83(2)“a,” 185.83(3)“a,” 185.83(5), ch 185 div VIII, 185.126, <u>Filed ARC 3388B</u> .....	<a href="#">6/9/04</a>	1971
	SPECIAL REVIEW-emergency rules		
	76.13, health insurance data match program		
<b>9:20</b>	<b>STATE PUBLIC DEFENDER[493]</b> Mark Smith (242-6513)		
	INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella”		
	Appointment of counsel; claims for services, 7.1, 11.5(2), 11.5(6), 11.5(7), 11.7, 12.1(1), 12.1(2), 12.2(1)“a,” 12.2(1)“b”(2), 12.2(1)“e”(1), 12.2(1)“f,” 12.2(2), 12.2(3), 12.2(6), 12.2(9) to 12.2(12), 12.3(1), 12.3(3), 12.4(4), 12.5, 12.5(3), 12.5(4), 12.6, 12.7(1), 12.7(3), 12.8(1), 12.8(1)“h” and “i,” 12.9(1), 12.9(1)“a,” 12.9(2)“a,” “d” and “f,” 12.9(3), 12.10, adopt ch 13, <u>Notice ARC 3442B</u> , also <u>Filed Emergency ARC 3443B</u> .....	<a href="#">6/23/04</a>	2007
<b>9:40</b>	<b>ADMINISTRATIVE SERVICES DEPARTMENT[11]</b> Carol Stratemeyer (281-6134)		
	Printing; procurement of goods and services, rescind 401—ch 5, 471—ch 13; adopt 11—ch 102; amend 11—105.1, 105.2, 105.3(1), 105.3(2), 105.4, 105.4(3)“b,” 105.4(4)“b,” 105.4(5), 105.5(1), 105.7(3), 105.7(5), 105.8(4)“a,” 105.8(5)“b,” 105.8(7), 105.8(7)“i,” 105.10, 105.11(2)“b,” 105.12, 105.12(6), 105.13, 105.14, 105.15(1), 105.15(2), 105.15(5), 105.16, 105.19(5), <u>Notice ARC 3415B</u> .....	<a href="#">6/9/04</a>	1908
	Purchasing standards for service contracts—applicability, 106.1 to 106.3, 106.5, 106.15(2), <u>Filed ARC 3432B</u> .....	<a href="#">6/23/04</a>	2016
<b>10:00</b>	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b> Ronald R. Rowland (281-8619)		
	Feeder pig dealer bonding/letter of credit requirement, 66.13, <u>Notice ARC 3414B</u> , also <u>Filed Emergency ARC 3413B</u> .....	<a href="#">6/9/04</a>	1959
	<b>10:15 to 10:30 break</b>		
<b>10:30</b>	<b>COLLEGE STUDENT AID COMMISSION[283]</b> Julie Leeper (242-3370)		
	EDUCATION DEPARTMENT[281]“umbrella”		
	Iowa tuition grant program, ch 12, <u>Notice ARC 3431B</u> .....	<a href="#">6/23/04</a>	1995
<b>10:40</b>	<b>INSPECTIONS AND APPEALS DEPARTMENT[481]</b> David Werning (281-7376)		
	Critical access hospitals, 51.53(4), 51.53(5), <u>Notice ARC 3392B</u> .....	<a href="#">6/9/04</a>	1931

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<b>10:50</b>	<b>HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605]</b>	John Benson (281-6158)	
	PUBLIC DEFENSE DEPARTMENT[601]“umbrella”		
	Increase in wireless E911 surcharge rate, 10.8(1), 10.8(4), 10.8(5), <u>Notice ARC 3390B</u> , also <u>Filed Emergency ARC 3391B</u> .....	<a href="#">6/9/04</a>	1960
<b>11:00</b>	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b>	Marla Gallardo (281-8678)	
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Tax exemption for property used to process waste wood products, 11.1, 11.2, 11.6(1), 11.6(3)“e” and “f,” <u>Filed ARC 3399B</u> .....	<a href="#">6/9/04</a>	1970
	Composting of organic materials; management of storm water, 105.5(1), 105.8(2)“f,” 105.10, 105.15, <u>Notice ARC 3408B</u> .....	<a href="#">6/9/04</a>	1916
	Landfarming of petroleum contaminated soil; land application of wastes, ch 120, 121.1 to 121.6, 121.6(2), 121.6(3), 121.7, <u>Notice ARC 3397B</u> .....	<a href="#">6/9/04</a>	1917
	Waste tire management—county grant program, regents tire-derived fuel program, end-user incentive program, rescind chs 215 to 217, <u>Notice ARC 3409B</u> .....	<a href="#">6/9/04</a>	1925
<b>11:30</b>	<b>NATURAL RESOURCE COMMISSION[571]</b>	Marla Gallardo (281-8678)	
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Boats, snowmobiles, all-terrain vehicles—registration, forms, 20.5(2), 38.6, 38.10, 38.11(1), 38.12, 38.20, 38.21, 38.26, 39.4, 46.1(5), 46.1(5)“e,” 47.1(5), 50.1, 50.2, 50.5(2), 50.6, 50.7(1), 50.10 to 50.13, <u>Notice ARC 3398B</u> .....	<a href="#">6/9/04</a>	1934
	“No anchoring” areas on Lake Red Rock, 40.6(3), <u>Notice ARC 3407B</u> .....	<a href="#">6/9/04</a>	1937
	Mooring of vessels on riparian property of the state of Iowa, 40.49, <u>Filed Emergency After Notice ARC 3402B</u> .....	<a href="#">6/9/04</a>	1966
	Motorboat noise levels, 43.1, 43.2, <u>Filed Emergency After Notice ARC 3401B</u> .....	<a href="#">6/9/04</a>	1967
	Daily deadline for removing decoys from game management areas, 51.5(3), <u>Filed ARC 3406B</u> .....	<a href="#">6/9/04</a>	1973
	Controlled hunting at the Lake Odessa wildlife management area, 53.3, <u>Filed ARC 3405B</u> .....	<a href="#">6/9/04</a>	1973
	Rental fees increase for renovated cabins, 61.4(1)“a,” <u>Filed ARC 3400B</u> .....	<a href="#">6/9/04</a>	1974
	Protection for private landowners that implement conservation measures for endangered and threatened species, 77.4(9) <u>Filed ARC 3403B</u> .....	<a href="#">6/9/04</a>	1974
	Wild turkey fall hunting—increased quotas of combination shotgun—or—archery licenses, 99.5(1), <u>Filed ARC 3404B</u> .....	<a href="#">6/9/04</a>	1975
	SPECIAL REVIEW		
	Iowa nature store, adopt ch 11, <u>Notice ARC 3357B</u> .....	<a href="#">5/12/04</a>	1826
<b>11:50</b>	<b>COMMITTEE BUSINESS</b>		
	Approve June minutes, set August meeting, miscellaneous		
	<b>12:00 to 1:30 lunch</b>		
<b>1:30</b>	<b>LAW ENFORCEMENT ACADEMY[501]</b>	Penny Westfall (242-5357)	
	Definition of “law enforcement officer”; background investigations; in-service training, 1.1, 2.3, <u>Notice ARC 3393B</u> .....	<a href="#">6/9/04</a>	1932
<b>1:40</b>	<b>HISTORICAL DIVISION[223]</b>	Kathy Gourley (281-6913)	
	CULTURAL AFFAIRS DEPARTMENT[221]“umbrella”		
	Description of organization, ch 1, <u>Filed ARC 3425B</u> .....	<a href="#">6/9/04</a>	1970
	Public records and fair information practices, 3.1 to 3.4, 3.4(2), 3.5, 3.5(2), 3.5(3), 3.6 to 3.17, <u>Notice ARC 3423B</u> .....	<a href="#">6/9/04</a>	1925
	Historical library and state archives—public access, ch 22 title, 22.1 to 22.5, 22.5(1) to 22.5(20), 22.6, <u>Notice ARC 3424B</u> .....	<a href="#">6/9/04</a>	1928
<b>1:50</b>	<b>RECORDS COMMISSION[671]</b>	Kathy Gourley (281-6913)	
	Organization; state records manual; records series retention and disposition schedules process; temporary records; permanent records; development process for government information policies, standards and guidelines, chs 1 to 8, 14, <u>Filed ARC 3426B</u> .....	<a href="#">6/9/04</a>	1975
<b>2:00</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b>	Barb Nervig (281-4344)	
	Center for congenital and inherited disorders, ch 4 title, 4.1 to 4.3, 4.3(1)“b” and “c,” 4.3(2) to 4.3(10), 4.4(1), 4.4(3), 4.4(4)“f,” 4.4(5), 4.5(1) to 4.5(3), 4.6(1) to 4.6(6), 4.7 <u>Notice ARC 3412B</u> .....	<a href="#">6/9/04</a>	1940
<b>2:10</b>	<b>UTILITIES DIVISION[199]</b>	Sharon Mayer (281-5256)	
	COMMERCE DEPARTMENT[181]“umbrella”		

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	<b>UTILITIES DIVISION[199]-continued</b>			
	Consumer services, 19.4(10), 19.4(13)“e,” 19.4(15)“d” and “f,” 19.4(16)“h,” 20.4(11), 20.4(14)“f,” 20.4(15)“d” and “f,” 20.4(16)“h,” <u>Notice ARC 3411B</u> .....	<a href="#">6/9/04</a>	1945	
	Purchased gas adjustment and reserve margin, 19.10(1) to 19.10(4), 19.10(6) to 19.10(8), 19.16, <u>Notice ARC 3410B</u> .....	<a href="#">6/9/04</a>	1951	
	Eligible telecommunications carrier designation for wireless carriers, 39.2(5)“c,” <u>Filed ARC 3441B</u> .....	<a href="#">6/23/04</a>	2023	
<b>2:30</b>	<b>VOTER REGISTRATION COMMISSION[821]</b> Sandy Steinbach (281-5823)			
	Application for registration, ch 2 title, 2.1, 2.1(2), 2.8(2), 2.8(4) to 2.8(7), 2.9, 2.11, 2.14, 2.15, 5.1(1), 8.2, 8.2“2,” 8.4, 8.5, 10.1(1), 11.7, <u>Notice ARC 3428B</u> .....	<a href="#">6/9/04</a>	1955	
<b>2:50</b>	<b>REGENTS BOARD[681]</b> Pam Elliott			
	Admission fees, 1.1, 1.2, 2.27(1), 2.27(6), <u>Filed ARC 3433B</u> .....	<a href="#">6/23/04</a>	2019	
<b>3:00</b>	<b>ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]</b> Melanie Johnson (242-4862)			
	SPECIAL REVIEW			
	Iowa Values Fund and House File 692 generally. 264 IAC Ch. 1 through 4			
	Iowa Welcome Centers---fee for placement of brochures			
<b>3:30</b>	<b>MEDICAL EXAMINERS BOARD[653]</b> Ann Mowery (242-3268)			
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”			
	Fingerprint packet and fee, 8.4(1)“a” and “f,” 8.4(2)“a,” 8.4(3)“a,” 8.4(4)“a,” 8.4(7), 9.5(1), 9.5(2)“o,” 9.6(3), 9.7(1), 9.7(2)“c,” 9.13(2)“a”(9), 9.13(2)“b,” 10.3(3)“a,” 10.3(3)“b”(11), 10.4(3)“a,” 10.4(3)“b”(10), 10.5(1)“c,” 10.5(1)“d”(11), 12.4(37), <u>Notice ARC 3420B</u> .....	<a href="#">6/9/04</a>	1933	

## **No representative requested to appear**

<b>XX:00</b>	<b>ARCHITECTURAL EXAMINING BOARD[193B]</b>			
	Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella”			
	Reinstatement of lapsed registration, 2.6, <u>Notice ARC 3394B</u> .....	<a href="#">6/9/04</a>	1915	
<b>XX:00</b>	<b>ATTORNEY GENERAL[61]</b>			
	Consumer credit transactions—premiums for involuntary unemployment insurance, 14.1, 14.1(13), 14.1(14), 14.1(16), <u>Notice ARC 3395B</u> .....	<a href="#">6/9/04</a>	1915	
<b>XX:00</b>	<b>EDUCATIONAL EXAMINERS BOARD[282]</b>			
	EDUCATION DEPARTMENT[281]“umbrella”			
	Driver education endorsement, 14.141(6), <u>Filed ARC 3418B</u> .....	<a href="#">6/9/04</a>	1969	
	Reading endorsements, 14.141(16), <u>Filed ARC 3417B</u> .....	<a href="#">6/9/04</a>	1969	
	Career and technical endorsements and licenses, ch 16 title, 16.1 to 16.12, <u>Filed ARC 3419B</u> .....	<a href="#">6/9/04</a>	1969	
<b>XX:00</b>	<b>EDUCATION DEPARTMENT[281]</b>			
	Vocational rehabilitation services, 5.3(1), 5.16“3,” ch 56, <u>Filed ARC 3435B</u> .....	<a href="#">6/23/04</a>	2016	
	AEA media centers, rescind ch 70, <u>Filed ARC 3384B</u> .....	<a href="#">6/9/04</a>	1970	
	AEA educational services, rescind ch 71, <u>Filed ARC 3385B</u> .....	<a href="#">6/9/04</a>	1970	
	Financial incentives for national board certification, 84.2, 84.4“3,” 84.5, <u>Filed ARC 3436B</u> .....	<a href="#">6/23/04</a>	2017	
<b>XX:00</b>	<b>IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]</b>			
	Employers; employees; covered wages, rescind 581—21.2 to 21.7, adopt 495—chs 4 to 6, <u>Filed ARC 3427B</u> .....	<a href="#">6/9/04</a>	1972	
	Sheriffs and deputy sheriffs—contribution rates; protection occupation class—inclusion of airport firefighters; retirement calculations, amend 495—4.6(2), 4.6(4)“d”; amend 581—21.8(1)“b,” 21.8(2)“b” and “e,” 21.13(10), <u>Notice ARC 3445B</u> , also <u>Filed Emergency ARC 3446B</u> .....	<a href="#">6/23/04</a>	2006	
<b>XX:00</b>	<b>LABOR SERVICES DIVISION[875]</b>			
	WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”			
	Federal occupational safety and health regulations—adoption by reference, 4.3, 10.20, <u>Notice ARC 3429B</u> .....	<a href="#">6/9/04</a>	1931	

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<b>XX:00</b>	<b>MEDICAL EXAMINERS BOARD[653]</b>				
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”				
	Fees, repayment receipts, 8.2(2)“e,” 8.4(6), 8.7, 8.12, 8.13, 12.25(1), <u>Filed</u> ARC 3422B .....	<a href="#">6/9/04</a>	1972		
	Pharmacist-interns—administration of influenza and pneumococcal vaccines to adults, 13.3(1)“c,” <u>Filed</u> ARC 3421B.....	<a href="#">6/9/04</a>	1973		
<b>XX:00</b>	<b>PAROLE BOARD[205]</b>				
	CORRECTIONS DEPARTMENT[201]“umbrella”				
	Organization; administrative procedures; public communications and records; victim notification; parole and work release—considerations, supervision; parole revocation; parole discharge; executive clemency; appeals; waivers, chs 1 to 8, 10, 11, 13 to 16, <u>Filed</u> ARC 3444B .....	<a href="#">6/23/04</a>	2017		
<b>XX:00</b>	<b>PETROLEUM UST FUND BOARD, IOWA COMPREHENSIVE[591]</b>				
	Potential conflicts of interest; board authority to transfer liabilities to a third party, 1.5, adopt ch 9, <u>Filed</u> ARC 3440B.....	<a href="#">6/23/04</a>	2018		
<b>XX:00</b>	<b>PHARMACY EXAMINERS BOARD[657]</b>				
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”				
	Licensure fees, 2.3(1), 2.6, 2.9(4), 2.11, 2.11(1), 2.14, 3.10(1), 3.10(2), 3.11(1), 8.35(4), 10.3, 10.3(2), 12.7(2)“a” and “b,” 17.3(2), <u>Notice</u> ARC 3416B .....	<a href="#">6/9/04</a>	1937		
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b>				
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”				
	Chiropractic examiners, 44.2(5), 44.3(2), <u>Filed Emergency</u> ARC 3383B.....	<a href="#">6/9/04</a>	1967		
	Massage therapy examiners, 130.4(2), 130.4(3), 130.6(3), 130.6(4), 131.8, 131.11 to 131.13, 132.4(1)“c”(1)“2,” 132.4(3), ch 134, 135.1(6) to 135.1(11), <u>Filed</u> ARC 3434B .....	<a href="#">6/23/04</a>	2019		
	Social work examiners, 280.9(2), 280.9(2)“a” and “e,” 281.5, <u>Notice</u> ARC 3382B .....	<a href="#">6/9/04</a>	1939		
<b>XX:00</b>	<b>TRANSPORTATION DEPARTMENT[761]</b>				
	School transportation services provided by regional transit systems, 911.1(2), 911.5, 911.6(1), 911.6(6), 911.8(1), <u>Filed</u> ARC 3430B.....	<a href="#">6/23/04</a>	2020		
<b>XX:00</b>	<b>WORKERS’ COMPENSATION DIVISION[876]</b>				
	WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”				
	Electronic data interchange—required reports, 11.7, <u>Filed</u> ARC 3396B.....	<a href="#">6/9/04</a>	1976		